

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 100110627-8IN THE  
U.S. PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class 365 Subclass \_\_\_\_\_

Prior application:

Examiner: WILSON, CHRISTIAN D  
Art Unit: 2824

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on 10/13/03 and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

"Express Mail" label no. EL910091527US

Typed Name: Alba P Escobar

Signature: Alba P Escobar

22581 U.S.PTO  
10/697171  
103003


REQUEST FOR A CONTINUING APPLICATION UNDER 37 CFR 1.53(b)

Sir:

This is a request for filing a continuing application under 37 CFR 1.53(b) a  
 continuation application of:  
 divisional application of:

Pending Prior ApplicationApplication No. 10/173,195 filed Jun 17, 2002Title Magnetic Memory Element Having Controlled Nucleation Site In Data LayerName of applicant(s) Janice H Nickel, Manoj K BhattacharyyaCopy of Application

- Enclosed is a copy of the prior application, including the drawings.  
 Enclosed is a new specification, including new drawings.

Oath or Declaration

- Enclosed is a copy of the prior Declaration (37 CFR 1.63(d)).  
 Enclosed is a newly executed Declaration (original or copy).

Foreign Priority - 35 USC 119

- Foreign priority under 35 U.S.C. 119 has been claimed in prior Application No. \_\_\_\_\_  
 filed on \_\_\_\_\_ in \_\_\_\_\_  
 The certified copy has been filed in prior Application No. \_\_\_\_\_  
 filed \_\_\_\_\_  
 A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Relat Back - 35 USC 120

Cross Reference To Related Application(s);

This is a  continuation  divisional  
 of copending application number 10/173,195 filed on Jun 17, 2002,  
 which is hereby incorporated by reference herein.

Inventorship Statement

- ( ) Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.53(b) as a result of a change in the claimed subject matter:

Appointment of Associate Attorney

- ( ) Recognize as Associate Attorney or Agent \_\_\_\_\_

Registration No. \_\_\_\_\_

( ) authorization is hereby granted by signature below of the Attorney or Agent of record

( ) the Associate Attorney or Agent may not have the authority to appoint other Attorneys or Agents

Communications

- (X) Address all future communications to:

Direct telephone calls to:

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

Brian R Short      Reg No.: 41,309  
(650) 236-4890

Other Amendments

- (X) Enter the enclosed Preliminary Amendment. The filing fee is calculated on the basis of the amended claims.

Fee Calculation

- (X) The filing fee is calculated below for (X) Utility ( ) Design

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) TOTALS
TOTAL CLAIMS	21 — 20	1	X \$18	\$ 18
INDEPENDENT CLAIMS	2 — 3	0	X \$86	\$ 0
ANY MULTIPLE DEPENDENT CLAIMS	0		\$290	\$ 0
BASIC FEE: Design (\$340.00); Utility (\$770.00)				\$ 770
TOTAL FILING FEE				\$ 788
TOTAL CHARGES TO DEPOSIT ACCOUNT				\$ 788

Charge \$ 788 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Janice H Nickel, et al.

By Brian R. Short  
Brian R Short  
Attorney/Agent for Applicant(s)  
Reg. No. 41,309

Date: 10/28/03

Telephone No.: (650) 236-4890